

REMARKS

Reconsideration of this application, as amended, is earnestly requested.

Claims 1, 11, and 17 are amended as shown above; claims 6 and 14 are cancelled without prejudice in this paper; and claims 7-9, 15, and 18 previously have been cancelled without prejudice. Claims 1-5, 10-13, 16-17, and 19-20 remain pending in the application with claims 1 and 11 being the only independent claims.

Claims 1 and 4-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Krautz et al. (US 4,334,341), and claims 2-3, 11-14, 16-17, and 19-20 as being unpatentable over Krautz in view of Latella et al. (US 5,738,954). Claims 1, 11, and 17 stand rejected under 35 U.S.C. §112, second paragraph as not pointing out and distinctly claiming the subject matter of the invention. Claim 11 is objected to for informalities. These rejections and objections are respectfully traversed.

Claim 11 has been amended to correct the informality, and applicant respectfully requests reconsideration and withdrawal of the objection.

Krautz relates to a buckle for a safety belt. Referring to Fig. 3, Krautz discloses an opening wedge 24 (analogous to the lock release device of claim 1) that is located in a plane above the main dimensions of the pressings 12, 13 (analogous to the locking members). The opening wedge is moved to the left in the plane of the pressings to force apart projections 22, 23 mounted on the pressings 12, 13 to swivel the latches 9 into the open position. See, Krautz, col. 2: 49-58.

Independent claims 1 and 11 have been amended to recite that "the lock release device is biased in the closed position by a longitudinal elastic member." As disclosed in Krautz, the release mechanism for the buckle moves in a plane parallel to that of the latches, and that when pressed the opening

wedge moves the latches apart. However, Krautz does not teach any structure that returns the opening wedge to the unlatched position. Referring to Krautz, Fig. 1, an unnumbered spring element appears to force the tongue 2 to the unlatched position when the opening wedge 24 (Fig. 3) is pushed to the left. No similar structure is taught to return the opening wedge 24 to the latched position. Krautz does not teach any structure that corresponds to the longitudinal elastic member as recited in independent claims 1 and 11.

Latella is referred to as teaching a battery cover for a mobile telephone, but does not teach or reasonably suggest that the lock release device is biased in the closed position by a longitudinal elastic member.

Claims 6 and 14 have been cancelled. With the amendments to claims 1, 11, and 17, applicant believes the 103 and 112 rejections have been overcome, and respectfully requests reconsideration and withdrawal of the rejections.

As set forth in MPEP 2143, to show a *prima facie* case for obviousness, all the prior art references, either individually or combined, must teach all the claim limitations. Neither Krautz nor Latella teach or suggest “the lock release device is biased in the closed position by a longitudinal elastic member,” and applicant submits that a *prima facie* case for obviousness has not been shown and that independent claims 1 and 11 are patentable over the cited prior art. Additionally, claims 2-5, 10, 12-13, 16-17, and 19-20 would be patentable at least by virtue of dependence upon a patentable independent claim.

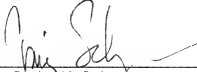
CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain at issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly invited to contact the undersigned at (213) 623-2221.

Respectfully submitted,
Lee, Hong, Degerman, Kang & Schmadeka

Date: July 3, 2008

By: _____


Craig W. Schmoeyer
Registration No. 51,007
Attorney for Applicant(s)

Customer No. 035884